

Appl No. 10/517,030
Amdt dated June 21, 2006
Reply to Office Action dated March 15, 2006

REMARKS

Applicants have carefully reviewed the Office Action mailed March 15, 2006. Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. Claims 1, 7 and 13 have been amended to include elements of claims 1, 8, and 14, respectively, which have subsequently been canceled. Claim 11 has been amended for clarity. No new matter has been entered as a result of these amendments.

Applicants respectfully traverse the Examiner's rejection of claims 1-18 under 35 U.S.C. §112, second paragraph, as indefinite. The claims have been amended to resolve the location of the bearings. With respect to claiming that a plunger abuts on a swash plate, it should be noted that the claimed language is not believed to exclude the presence of other items. One of skill in the art, having read the application, would understand that there may be additional structures such as a steel ball and/or a shoe disposed between the plunger and the swash plate. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 1-6 and 13-18 under 35 U.S.C. §102(b) as anticipated by Hayashi et al., U.S. Patent No. 6,122,914. In order to anticipate, the cited reference must disclose each and every claimed element. Hayashi et al. fail to do so.

In particular, the claimed invention is directed to a hydraulic stepless transmission in which a shaft is supported by bearings (a combined thrust and radial bearing and a radial bearing) located on each side of a cylinder block. The two bearing on each side are supported by a single member. To illustrate, sidewall member 28 supports both radial bearing 38 and combined thrust and radial bearing 39. First yoke member 23a supports both radial bearing 12 and combined thrust and radial bearing 31.

As a result, the inventive hydraulic step transmission recited in the pending claims does not require a bearing to support the outer circumferential surface of a cylinder block. This permits a reduced outer diameter for a transmission.

Hayashi et al. do not disclose the claimed configuration. Rather, Hayashi et al. are directed to a transmission having a cylinder block 4 and a shaft 2. The cylinder block 4 is supported by a swash plate anchor 15 and a cylinder holder 17 via bearings 16 and 31. The shaft

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2 is supported by bearings 3 and 6. This is different from the claimed configuration, and thus Hayashi et al. cannot be considered as anticipating the claimed invention.

Thus, independent claims 1 and 13 are patentable over Hayashi et al. Dependent claims 2-6 and 14-18 are similarly patentable and moreover add additional limitations. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 7-12 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as unpatentable over Hayashi et al., U.S. Patent No. 6,122,914.

Claim 7 recites a power transmission that includes an hydraulic stepless transmission (similar to that recited in claim 1) and adds several additional components. As discussed above, Hayashi et al. fail to anticipate the hydraulic stepless transmission portion and thus cannot be considered as disclosing a power transmission that includes such a hydraulic stepless transmission.

Moreover, Hayashi et al. are not believed to provide any suggestion or motivation to one of skill in the art to modify their design to meet the claimed invention. Thus, Hayashi et al. cannot be considered as teaching the claimed invention. Applicants do not concede that Hayashi et al. either describe or suggest the additional power transmission elements recited in claim 7. Thus, independent claim 7 is patentable over Hayashi et al. Dependent claims 8-12 are similarly patentable and moreover add additional limitations. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 13-15, 17 and 18 under 35 U.S.C. §102(b) as anticipated by JP 2002-31209. In order to anticipate, the cited reference must disclose each and every claimed element. JP 2002-31209 fails to do so, particularly with respect to the amended claims.

In particular, claim 13 has been amended to require a bearing supporting the shaft on each side of the cylinder block, with the bearing on each side being supported by a single member. As noted above, this permits a reduced outer diameter for a transmission.

JP 2002-31209 does not disclose the claimed configuration. Rather, this reference discloses an hydraulic device that includes a cylinder block 25 and a shaft 15. One end of the shaft 15 is supported by a yoke 38 via a roller bearing 41, while the other end of the shaft 15 is

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supported by a holder 14 via a roller bearing 16. This is different from the claimed configuration, and thus JP 2002-31209 cannot be considered as anticipating the claimed invention.

Thus, independent claim 13 is patentable over JP 2002-31209. Dependent claims 14-15, 17 and 18 are similarly patentable and moreover add additional limitations. Favorable reconsideration is respectfully requested.

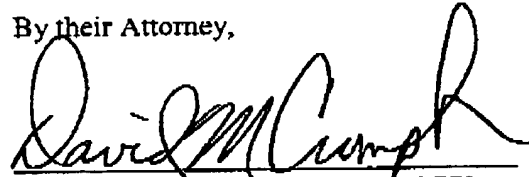
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Takeshi Oouchida et al.

By their Attorney,

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